

**UNITED STATES OF AMERICA**

**vs.**

**TIMOTHY LAVELLE LEAK - 1**

**THIS MATTER** is before the Court upon Defendant's Motion for a Continuance from the 26 September 2005 term in the Charlotte Division.

For the reasons stated in Defendant's motions and upon a showing that Defendant's counsel has not had sufficient time within which to adequately prepare a defense in this case, taking into account the exercise of due diligence, the Court will allow the continuance. **18 U.S.C. § 3161(h)(8)(B)(iv)**. The Court further finds that the ends of justice served by taking such action as requested by the Defendant outweigh the best interest of the public and the Defendant to a speedy trial.

**IT IS, THEREFORE, ORDERED** that the Defendant's motion to continue is **GRANTED** and this case is hereby continued from the September 2005 term in the Charlotte Division to the 21 November 2005 term in the Charlotte Division.

**Signed: September 28, 2005**

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive style with a horizontal line underneath the text.

Richard L. Voorhees  
United States District Judge

